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INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY
RUCNARF/ASEAN REGIONAL FORUM COLLECTIVE PRIORITY
RUEHZU/ASIAN PACIFIC ECONOMIC COOPERATION PRIORITY
RUEHBY/AMEMBASSY CANBERRA PRIORITY 3108
RUEHLO/AMEMBASSY LONDON PRIORITY 2395
RUEHFR/AMEMBASSY PARIS PRIORITY 6479
RUEHUL/AMEMBASSY SEOUL PRIORITY 4557
RUEHKO/AMEMBASSY TOKYO PRIORITY 4179
RUEHWL/AMEMBASSY WELLINGTON PRIORITY 1164
RUEHBS/AMEMBASSY BRUSSELS PRIORITY 2336
RUEHKS/AMCONSUL SAPPORO PRIORITY 3796
RUEHFK/AMCONSUL FUKUOKA PRIORITY 3254
RUEHOK/AMCONSUL OSAKA KOBE PRIORITY 7048
RUEHNH/AMCONSUL NAHA PRIORITY 5603
RUEAIIA/CIA WASHDC PRIORITY
RUEKJCS/CJCS WASHINGTON DC PRIORITY
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RUEKJCS/SECDEF WASHDC PRIORITY
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C O N F I D E N T I A L TOKYO 000720

SIPDIS

FOR EAP/J, EAP/RSP, L/ESA

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TAGS: [PREL](#) [ASEAN](#) [JA](#)

SUBJECT: TAC: JAPAN EXPERIENCED SMOOTH PROCESS IN JOINING
TREATY

REF: STATE 20228

Classified By: CDA Ronald Post for reasons 1.4 (b) and (d)

11. (C) SUMMARY: Japan enjoyed a relatively smooth accession process to the Treaty of Amity and Cooperation (TAC) in Southeast Asia in 2004, officials from MOFA told Embassy Tokyo March 25. For Japan, TAC compliance required neither new laws nor reconciling TAC provisions with existing laws. MOFA officials highlighted the Treaty's consistency with the UN Charter as a factor making the process possible. They also stressed that growing Chinese regional influence played a role in Japan's decision to ratify the TAC at the time.
END SUMMARY

12. (C) Japan welcomes the U.S. decision to launch an interagency review process to pursue possible TAC accession, according to MOFA Regional Policy Office (RPO) official Hiroshi Nawata and RPO TAC specialist Daisuke Yoshikawa. They expressed the view that Secretary Clinton's February trip to Indonesia and her announcement that the United States would begin the TAC review process signal new U.S. engagement in Southeast Asia. They stressed that Japan places importance on strengthening ties to the region because of Southeast Asia's proximity to Japan, investment climate, and energy resource transit routes.

13. (C) Nawata and Yoshikawa said that the TAC process was relatively "easy" for Japan. Japan announced its decision in December 2003 and signed ratification papers seven months later at the ASEAN Post Ministerial Conference. A key factor in simplifying the process was that Japan did not need to draft any new legislation; the TAC did not conflict with existing laws.

14. (C) Japan also received confirmation in writing from ASEAN that TAC provisions did not have any bearing on relations between signatories and non-signatories. Japan received additional assurances that the TAC did not restrict parties

from taking action based on international agreements.

¶5. (C) The TAC's consistency with the UN Charter was another expediting factor. Our MOFA interlocutors pointed to the preamble, which states that parties will strive to "enhance...mutual cooperation on matters affecting Southeast Asia consistent with the spirit and principles of the Charter of the United Nations." They also highlighted Article 17 of the TAC, which states that "Nothing in this Treaty shall preclude recourse to the modes of peaceful settlement contained in...the Charter of the United Nations."

¶6. (C) Some ASEAN members wanted Japan's TAC accession to serve as a check against growing Chinese regional influence, as well as to demonstrate Japan's commitment to Southeast Asia, noted Nawata. Japan decided to join the TAC -- the principles of which include the renunciation of force in settling international disputes and mutual noninterference -- soon after China and India had ratified the Treaty in October

¶2003.

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